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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/987,005 12/08/97 HOWELL

M MICL:038

EXAMINER

QM12/1218

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SMITH, S

ART UNIT

PAPER NUMBER

3729

DATE MAILED:

12/18/00

*19*

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**08/987,005**

Applicant(s)  
**Howell**

Examiner  
**Sean Smith**

Group Art Unit  
**3729**



☒ Responsive to communication(s) filed on Oct 12, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 5-7, 14, 16, 20, and 22-24 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 5-7, 14, 16, 20, and 22-24 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 17

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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### DETAILED ACTION

1. The request filed on 10/18/00 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 08/987005 is acceptable and a CPA has been established. An action on the CPA follows.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 5,7-14,16,20 and 22-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Hukin.

Regarding claims 5-7, 18 Hukins discloses a method of using a cable comprising; mounting a tray (15), the lower portion of the tray comprising a groove underneath the lower portion of the notch; (See attach drawing); arranging the length of the cable in the tray including laying the length of cable along the groove (see attach drawing); determine the upper portion of the tray is to be used to pass the length of cable, if so routing the length of the cable through the upper portion notch Fig 3, and closing the cover (9)

Regarding claim 14, Hukins discloses a second cable routed through the second notch section Fig 3.

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Regarding claims 16 and 20, Hukins discloses a shelf (24) adjacent to the upper notches and routing the cable through the shelf Fig 3.

Regarding claim 22, Hukins discloses a tray having a groove (see attach drawing) wherein the groove has a first and second longitudinal edges (see attached drawing).

Regarding claim 23, Hukins discloses the first and second longitudinal edges are substantially orthogonal with respect to each other (see attached drawing).

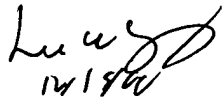
Regarding claim 24, Hukins discloses a cover (25) to house the tray .

*Conclusion*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner S. Smith whose telephone number is (703) 305-0831.

SS

December 14, 2000

  
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